Government of Saskatchewan

Annual Report 1985-86

Saskatchewan Rent Appeal Commission

87-05730

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June 25, 1986.

To His Honour, The Honourable Frederick W. Johnson,
Lieutenant Governor of the Province of Saskatchewan.

Sir:

I have the honour to submit herewith the Annual Report of the Rent Appeal Commission for the fiscal year ending March 31, 1986.

Respectfully submitted,

Joan H. Duncan

Joan H. Duncan,
Minister Responsible for the
Rent Appeal Commission.

June 25, 1986.

To the Honourable Joan H. Duncan,
Minister Responsible for the
Rent Appeal Commission.

Dear Madam:

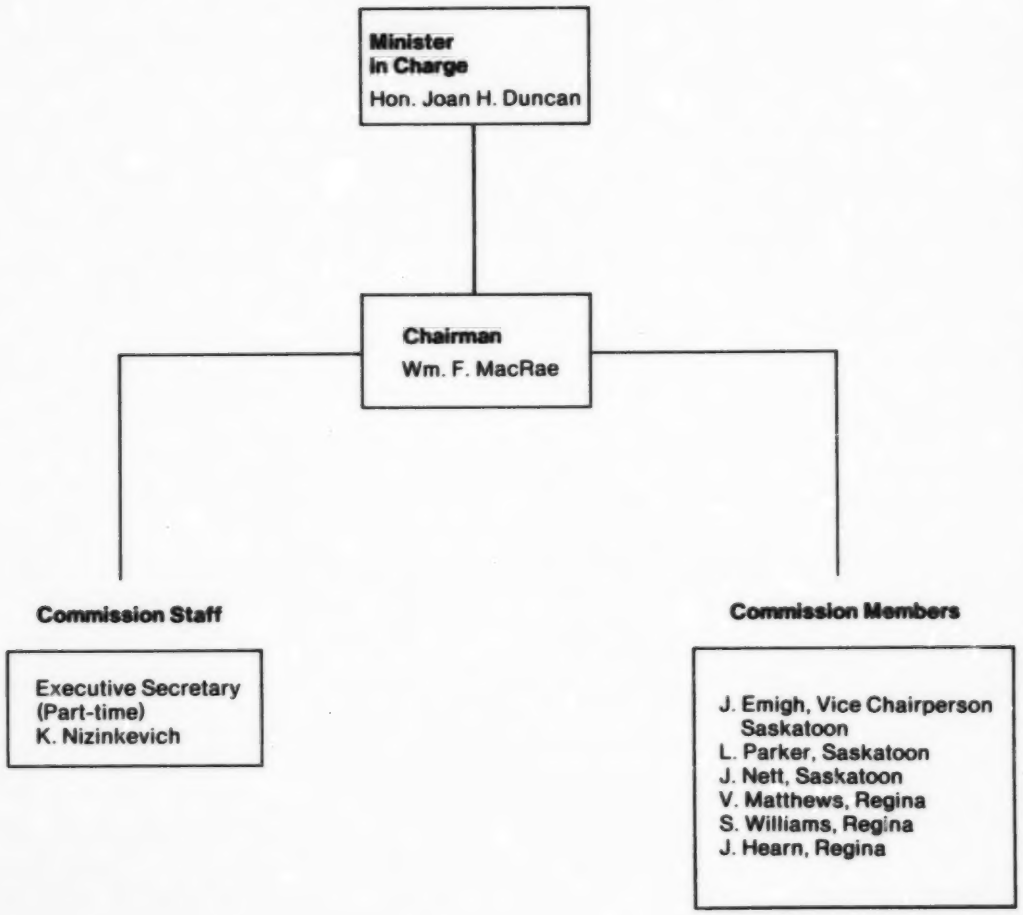
I have the honour to submit the Annual Report of the Rent Appeal Commission for the fiscal year ending March 31, 1986.

Respectfully submitted,

Dr. Wm. F. MacRae,
Chairman,
Rent Appeal Commission.

Rent Appeal Commission
Organization Chart

(March 31, 1986)



Introduction

The Rent Appeal Commission was established January 28, 1976 through an amendment to *The Residential Tenancies Act, 1973.*

Purpose and Operation of the Commission

The Rent Appeal Commission was established as an independent body to provide landlords and tenants with a process of appeal from orders issued by the Rentalsman or the Provincial Mediation Board. Decisions must be appealed within fifteen days of the order.

The Commission is presently composed of six members who are assigned to participate in and conduct the business of the Commission on a per diem basis as required.

The policy and practice of the Commission since its inception has been to hold hearings in the same community in which the premises under appeal are located. Usually no fewer than three and not more than five Commissioners hear each appeal. A policy of including Commissioners from Regina and Saskatoon for hearing panels has ensured uniformity in Commission decisions. Hearings of the Commission are open to the public.

The Commission is not bound by any findings of the Rent Review Board or the Office of the Rentalsman. The Commission determines the merits of each particular situation and issues a decision it deems to be just and equitable under the circumstances.

The Commission's policy is to provide written reasons for its decisions to all persons directly involved in appeals.

Orders of the Commission may be appealed by the affected persons to the Court of Appeal on a question of law or jurisdiction.

The Year Under Review

The Rent Stabilization Program is now in its second year of operation. The number of appeal applications heard for Rent Review during the fiscal year decreased from 29 (1984-85) to 13. This number reveals an apparent acceptance of the Rent Stabilization Program and indicates that tenants and landlords are finding agreement in the rent adjustment negotiations.

Appeals relating to Rulings on Disputes are constant. These appeals reflect the disagreements which run the full spectrum of landlord/tenant transactions. As was the case during the previous year, many of the disputes result from uncertain verbal agreements. The failure to use adequate check-in/check-out inventory sheets leaves the parties in dispute offering subjective kinds of arguments in supporting their various claims.

An examination of the disposition of appeal results reveals that Decisions are quite evenly balanced between the tenant and landlord, with slightly more Orders made in favour of the landlord.

The small number of Decisions which, at first glance, may seem to indicate a bias in favour of landlords is discounted if all variables are taken into account: number of applications, appeals withdrawn, and modified Orders.

The total number of appeals heard by the Commission has increased over the previous fiscal year. The renting community appears aware of the appeal procedures and options, and continues to make use of them.

Statistics

	1983-84	1984-85	1985-86
Appeals received	203	222	244
Appeals cancelled/withdrawn/postponed	16	20	11
	187	202	233
Backlog carried to next fiscal year	24	35	20
	163	167	213
Backlog completed from previous year	28	20	35
Total appeals completed	191	187	248